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**Our reference:**  
**Your reference:**  
**Date:** 29 December 2017



**Rushcliffe Community  
Contact Centre**  
Rectory Road  
West Bridgford  
Nottingham  
NG2 6BU

To all Members of the Cabinet

Dear Councillor

A Meeting of the Cabinet will be held on Tuesday, 9 January 2018 at 7.00 pm in the Council Chamber Area B, Rushcliffe Arena, Rugby Road, West Bridgford - Rushcliffe Arena to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glen O'Connell'.

Glen O'Connell  
Monitoring Officer

## **AGENDA**

1. Apologies for Absence
2. Declarations of Interest
3. Minutes (Pages 1 - 6)
4. Revenue and Capital Budget Monitoring 2017/18 - Quarter 2 Update (Pages 7 - 18)

The report of the Executive Manager – Finance and Corporate Services is attached.

5. Proposed Nottinghamshire Joint Enforcement Protocol for Private Hire and Hackney Carriage Vehicles and Drivers (Pages 19 - 32)

The Report of the Executive Manager – Neighbourhoods is attached.

6. Options for Tree Protection and Promotion in Rushcliffe (Pages 33 - 38)

The Report of the Executive Manager – Communities is attached.

7. Review and Future of YouNG (Pages 39 - 44)

The Report of the Executive Manager – Communities is attached.

**In person**  
Monday to Friday  
8.30am - 5pm  
First Saturday of  
each month  
9am - 1pm

**By telephone**  
Monday to Friday  
8.30am - 5pm

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8. Rushcliffe Miniature Railway Extension, Rushcliffe Country Park  
(Pages 45 - 48)

The Report of the Executive Manager – Operations and Transformation is attached.

Membership

Chairman: Councillor S J Robinson  
Vice-Chairman: Councillor D Mason  
Councillors: A Edyvean, G Moore and R Upton

<b>Meeting Room Guidance</b>
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**Fire Alarm Evacuation:** in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

**Toilets:** are located to the rear of the building near the lift and stairs to the first floor.

**Mobile Phones:** For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

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**MINUTES  
OF THE MEETING OF THE  
CABINET  
TUESDAY 14 NOVEMBER 2017**

Held at 7.00pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford

**PRESENT:**

Councillors S J Robinson (Chairman), A J Edyvean, D J Mason, G S Moore, R G Upton

**ALSO IN ATTENDANCE:**

Councillors A MacInnes, G R Mallender, R M Jones  
4 members of the public

**OFFICERS PRESENT:**

M Elliott	Constitutional Services Team Leader
A Graham	Chief Executive
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Executive Manager - Operations and Transformation
D Mitchell	Executive Manager – Communities
G O’Connell	Monitoring Officer
L Webb	Constitutional Services Officer

**APOLOGIES FOR ABSENCE:**

There were no apologies for absence

**28. Declarations of Interest**

There were no declarations of interest.

**29. Minutes**

The minutes of the meeting held on Tuesday 10 October 2017 were approved as a correct record and signed by the Chairman.

**30. Rushcliffe Skate-park Improvement Fund**

Pursuant to Cabinet Minute No.26 (2017/18), the Portfolio Holder for Community and Leisure presented the report of the Executive Manager – Communities to provide details of a proposed new time limited skate-park improvement fund to support providers of existing skate park facilities across the Borough to access sufficient funds to enable investment to be made to ensure the parks long-term sustainability.

The report noted that there were nine skate-parks across Rushcliffe, seven of which were owned by Town and Parish Councils, and in the drafting of the Council’s Playing Pitch Strategy the poor quality of many of the skate park sites as well as the need for substantial investment to bring them up to the required standard had become apparent. In order to assist the owners of the

skate parks to improve these important community facilities it was proposed that a time limited grant fund of £500,000 be made available until March 2021 to enable the Council to support the owners of existing skate parks in the Borough to apply for match funding which would then enable the owners to secure external funding to replace poor quality timber skate-parks with low maintenance concrete facilities which were expensive to install. The Portfolio Holder noted that the skate parks in West Bridgford and at Rushcliffe Country Park, as well as those managed by Town and Parish Councils, would be able to access the funding from the scheme.

The Portfolio Holder advised that the maximum grant allocation would be £150,000 to contribute to up to 50% of the total cost of improvement costs with the Town and Parish Councils needing to seek grant funding from other external sources to meet the other 50% of the costs of improvements. The officer's report included full details of the proposed eligibility and conditions of the new grant fund

The Monitoring Officer advised that since the agenda had been published section 4.3 of the officer's report had been amended and read as follows:

4.3 Completed application forms received by the Council will be assessed by case officers, approved by Executive Manager following consultation with the Cabinet Portfolio holder for Community and Leisure, with any spend reported in accordance with the normal financial reporting processes to Corporate Governance Group and Cabinet.

and that consequently there had been a change to recommendation (b) as follows:

(b) adopt the eligibility, conditions of grant and governance procedures as detailed in section 4.3 and 4.4 of this report.

The officer's report also contained details of alternative options to the skate park improvement fund which had been considered and rejected including the provision of loans on a commercial basis.

Councillor Edyvean in seconding the recommendations noted that as skate boarding had recently become an Olympic sport he was pleased to support the introduction of a skate-park improvement fund and to support possible Olympians of the future.

Councillor Robinson welcomed the recommendations but advised that it was important to note that the owners of the skate parks would be responsible for the ongoing maintenance of the skate parks after the improvements had been made. Councillor Upton noted that skate boarding was a great and enduring sport for not only for young people but for people of all ages and was pleased that the fund would facilitate the construction of long lasting and durable skate parks.

**It was RESOLVED that:**

- a) a skate-park improvement fund be created to operate for a period of three years from December 2017 to 31 March 2021.
- b) the eligibility, conditions of grant and governance procedures, as detailed in sections 4.3 and 4.4 of the officer's report be adopted.
- c) subject to approval by Full Council, £500,000 be allocated (until 31 March 2021) to the Capital Programme, as part of the Medium Term Financial Strategy.
- d) the principle that any urgent skateboard park expenditure required in 2017/18 be met from capital contingency, be approved.

### **Reason for decisions**

Without grant funding support for skate park facility providers, it is anticipated that the quality of existing skate-parks would continue to deteriorate over the coming years which may in turn lead to a reduction in provision of important facilities for young people in the Borough.

### **31. Rushcliffe Property Company Options**

The Portfolio Holder for Economic and Business presented the report of the Executive Manager - Transformation and Operations to update Cabinet on the work undertaken since March 2017 to explore various property company options and to recommend further investigation of an insourcing option.

The Portfolio Holder for Economic and Business noted that in the current economic climate with its low interest rates, property investments were becoming an increasingly important part of many Councils' investment strategies, enabling Councils to support budgets and secure the provision of services. The Portfolio Holder noted that, as a consequence of this environment, the setting up of property development companies was becoming an increasingly popular option taken up by many Councils to support their budgets.

The officer's report contained details and analysis of the work that had been carried out since March 2017 by officers to explore the various property company options that were available against the objectives of the Council of to not only generate revenue to support services but also to ensure the provision of affordable housing within the Borough. The Portfolio Holder advised that after careful consideration the creation of a property company was not currently the best option for the Council and that provision of affordable housing in the Borough was currently best delivered by the Council in partnership with registered housing providers. The Portfolio Holder also noted that over 360 new affordable homes had been delivered since 2011 across the Borough.

The Portfolio Holder advised that as an alternative to the Council establishing a property company, another option that could be considered further would be to work with "Public Sector Plc" (PSP), an organisation that was assisting councils set up and deliver property companies. It was noted that PSP worked to an "insourcing model", bringing commercial skills into a Council rather than

the Council outsourcing its property or regeneration projects. The report recommended that officers explore the PSP model in more detail as part of a detailed options review for the potential development of the sites at Abbey Road, West Bridgford and COT1 in Cotgrave, subject to them being included in the Local Plan Part 2, with a report on this work being submitted to a future Cabinet meeting for consideration.

Councillor Mason in seconding the recommendations thanked officers for their work in preparing the report and noted her confidence in the partnership working between the Council and registered housing providers to continue to deliver affordable housing across the Borough.

Councillor Upton noted that the option of further investigation of working with PSP was beneficial to the Council as it would not only reduce the amount of risk that a property company could expose the Council to, but also allow greater flexibility for site specific solutions. Councillor Robinson noted that the average price of a house in Rushcliffe was now £257,000 compared to £128,000 in Nottingham City, and that it was essential that the Council worked in the most effective ways possible to deliver new affordable homes in the Borough. Councillor Robinson noted that the 370 new affordable homes that had been delivered since 2011 by all registered providers was a significant achievement in challenging circumstances and also thanked Metropolitan Housing for their continued contribution in delivering affordable housing in the Borough.

**It was RESOLVED that:**

- a) Cabinet agreed that further provision of affordable housing in the Borough be best delivered by the Council in partnership with registered providers rather than through a property company.
- b) there be further investigation of the Public Sector PLC (PSP) relational partnering model to develop a Limited Liability Partnership (LLP) to deliver discrete property development projects in the Borough.
- c) Officers continue to identify the best opportunities and delivery models for delivering the best value return from the Council's land assets.

**Reason for decisions**

To provide clarity on the Council's position and what the Council might look to deliver via a property development company in the future.

**32. Growth Deal Funding**

The Portfolio Holder for Economic and Business presented the report of the Executive Manager – Transformation and Operations to update Cabinet on proposed changes to the use of previously allocated Growth Deal funding.

The Portfolio Holder advised that in 2015 Rushcliffe Borough Council had secured £6.25m of Growth Deal funding from the D2N2 Local Enterprise Partnership (LEP). This funding had been allocated to contribute towards the

upfront infrastructure costs of developing three key strategic sites in the Borough along the A46 corridor at Bingham, Cotgrave and the former RAF Newton. Since the allocation of this funding there had, however, been changes in circumstances in relation to the Bingham and RAF Newton schemes which meant that the allocation of funding was no longer required for the purposes that it had originally been allocated for. The Portfolio Holder advised that this equated to £3.25 million of LEP funding that was now unallocated and advised that it was proposed that a business case be developed that would be put to the LEP to request that the funding be instead used to support the acceleration of delivery of alternative sites at Chapel Lane, Bingham and at land South of Clifton.

The Portfolio Holder for Economic and Business noted that the sites at Chapel Lane, Bingham and the land South of Clifton outlined in the officer's report would meet the criteria set by the LEP to secure the Growth Deal funding as for example, the land South of Clifton could sustain up to 1,900 jobs and also accommodate up to 3,000 houses. It was also recommended that the reallocation of £3.25 million of Growth Deal funding within the Capital Programme be recommended to Full Council for approval as part of the Medium Term Financial Strategy in 2018.

Councillor Mason in seconding the recommendations noted that, if reallocated, the Growth Deal funding would enable economic growth within the Borough as it would provide new jobs, houses and employment land.

Councillor Robinson asked about the time scales involved in the proposed reallocation of funding. The Executive Manager – Transformation and Operations advised that the Council were due to attend a meeting with the D2N2 Infrastructure Investment Board in which the Council would ask to resubmit their business case for the Growth Deal funding. The Executive Manager noted that it was important to understand that the Infrastructure Investment Board could reject the Council's proposals for reallocation of the funding to alternative sites case as the funding was not financing the original sites, but, if approved in principle, a new full business case for the use of the funding would be submitted during 2018.

Councillor Robinson advised that he hoped that the proposed uses for this funding would act as a stimulus to the building of houses on the land South of Clifton, with the outline planning application for this site being due to be considered by the Planning Committee in January, 2018. Councillor Robinson also thanked the officers for producing the report and for identifying how the funding could potentially be retained in Rushcliffe for the benefit of the Borough.

**It was RESOLVED that:**

the proposals for the reallocation of £3.25 million of Growth Deal funding within the Capital programme, as set out in the report, be supported, and that this reallocation be recommended to Full Council for approval as part of the Medium Term Financial Strategy in 2018.

**Reason for decision**

To enable £3.25 million of Growth Deal Funding no longer required for the A46 corridor to be reallocated and used for schemes within Rushcliffe, rather than the money being returned to the D2N2 LEP which could then be allocated for schemes outside of the Borough.

The meeting closed at 7.26pm.

CHAIRMAN



 <p>Rushcliffe Borough Council</p>	<p><b>Cabinet</b></p> <p><b>9 January 2018</b></p> <p><b>Revenue and Capital Budget Monitoring 2017/18 - Quarter 2 Update</b></p>	<h1>4</h1>
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## Report of the Executive Manager – Finance and Corporate Services

### Cabinet Portfolio Holder for Finance Councillor G S Moore

#### 1. Summary

- 1.1. This report presents the budget position for revenue and capital as at 30 September 2017 the details of which were considered by the Corporate Governance Group (CGG) on 5 December 2017. Given the current financial climate it is imperative that the Council maintains due diligence with regards to its finances and ensures necessary action is taken to maintain a robust financial position.
- 1.2. The report also highlights the purchase of the new investment property Bardon and the benefits and risks associated with this, which was also considered by CGG on 5 December 2017.

#### 2. Recommendation

It is RECOMMENDED that Cabinet:

- a) note the projected revenue and capital budget positions for the year of £193,000 revenue efficiencies and £7,439,000 from capital scheme re-phasing and potential savings; and
- b) approve the removal of £5.75m from the 2017/18 Capital Programme as provisions for the original schemes at Land North of Bingham and RAF Newton are no longer required in 2017/18 as detailed in paragraph 4.6 and the explanation in **Appendix C**.

#### 3. Reasons for Recommendation

- 3.1. To demonstrate good governance in terms of scrutinising the Council's on-going financial position and compliance with Council Financial Regulations.

#### 4. Supporting Evidence

##### *Revenue Monitoring*

- 4.1 The revenue monitoring statement by service area is attached at **Appendix A** with detailed variance analysis as at 30 September 2017 attached at **Appendix B**. This shows projected efficiency savings for the year of £153,000 and additional funding of £40,000. This could improve throughout the remainder of the year as managers continue to drive cost savings, and raise income, against existing budgets.

- 4.2 **Appendix A** includes a Minimum Revenue Provision (MRP) of £1 million. This is a provision that the Council is required to make each year to cover the internal borrowing costs for the Arena which will be funded by New Homes Bonus.
- 4.3 As documented at **Appendix B** the financial position to date reflects a number of positive variances including employee cost savings, savings from contracts, additional green waste income and a reduction in both Housing and Council Tax Benefit payments. £50k is anticipated from the new property acquisition Bardon (see Appendix D, which gives further information on the acquisition). There are several negative variances, including an increase in the cost of insurance, variations in the cost of contracts, agency costs for waste collection and recycling and an increase in the cost of NNDR (Business Rates) at East Leake Leisure Centre and the Arena.
- 4.4 At October Cabinet the use of a maximum of £20k of the revenue efficiencies towards a business case feasibility assessment concerning Bingham Leisure Centre was approved. This will reduce the projected revenue efficiencies for the year to £173,000.

#### *Capital Monitoring*

- 4.5 The updated Capital Programme monitoring statement as at 30 September 2017 is attached at **Appendix C** which provides further details and the progress of the schemes and both re-phasing and potential savings of £7,439,000. A summary of the projected outturn and funding position is shown in the table below:-

<b>CAPITAL PROGRAMME MONITORING - SEPTEMBER 2017</b>			
<b>EXPENDITURE SUMMARY</b>	<b>Current Budget £000</b>	<b>Projected Actual £000</b>	<b>Projected Variance £000</b>
Transformation	15,110	9,310	(5,800)
Neighbourhoods	2,188	1,052	(1,136)
Communities	399	374	(25)
Finance & Corporate Services	10,298	9,820	(478)
Contingency	290	290	-
	<b>28,285</b>	<b>20,846</b>	<b>(7,439)</b>
<b>FINANCING ANALYSIS</b>			
Capital Receipts	(15,277)	(14,207)	1,070
Government Grants	(5,167)	(1,917)	3,250
Other Grants/Contributions	(1,969)	(1,500)	469
Use of Reserves	(3,189)	(664)	2,525
Internal Borrowing	(2,683)	(2,558)	125
	<b>(28,285)</b>	<b>(20,846)</b>	<b>7,439</b>
<b>NET EXPENDITURE</b>	<b>-</b>	<b>-</b>	<b>-</b>

- 4.6 The original Capital Programme of £15.1 million has been supplemented by a net brought forward and in-year adjustments of £13.2 million giving a revised total of £28.3 million. This is an ambitious capital programme which will see

completion of two major redevelopment schemes: Cotgrave Multi-service Centre and Cotgrave Employment Land. The variance of £7.4 million is largely down to four schemes:

- £5m in relation to development of Land North of Bingham which is no longer going ahead and can be removed from the 2017/18 programme with a view to reallocating the LEP element (£2.5 million) of the provision in the 2018/19 programme.
- £750,000 in relation to RAF Newton site which is no longer going ahead and can be removed from the 2017/18 programme. It is intended to reallocate this provision and include in the 2018/19 programme.
- £909,000 slippage on Support for Registered Housing Providers as no schemes have been identified yet.
- £478,000 slippage on the release of the loan to Nottinghamshire County Cricket Club.

In October, £1.9 million of the Asset Investment Strategy provision was committed to purchase a unit in Coalville, Leicestershire which should generate rental income of up to £120,000 per annum. Further information is provided in Appendices D and E.

#### 4.7 **Summary**

The report projects overall efficiency savings for both revenue and capital (along with budget re-phasing). It should be noted opportunities and challenges can arise during the year which may impact on the projected year-end position. There remain external financial pressures from developing issues such as the impact of the localisation of business rates, welfare reform, and continued financial pressures on individuals, businesses and partners; with heightened risks as a result of BREXIT. Against such a background it is imperative that the Council continues to keep a tight control over its expenditure, identifies any impact from income streams and maintains progress against its Transformation Strategy.

### 5 **Risk and Uncertainties**

- 5.1 Failure to comply with Financial Regulations in terms of reporting on both revenue and capital budgets could result in criticism from stakeholders, including both members and the Council's external auditors.
- 5.2 Areas such as income can be volatile according to external pressures such as the general economic climate. For example, Planning income is variable according to the number and size of planning applications received and property assets are subject to risks such as void periods and property valuation volatility.

### 6 **Implications**

#### 6.1 **Finance**

Financial implications are covered in the body of the report.

## 6.2 Legal

None.

## 6.3 Corporate Priorities

Changes to the budget enable the Council to achieve its corporate priorities.

## 6.4 Other Implications

None.

<b>For more information contact:</b>	Peter Linfield Executive Manager - Finance and Corporate Services 0115 914 8439 <a href="mailto:plinfield@rushcliffe.gov.uk">plinfield@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	Council 2 March 2017 – 2017-18 Budget and Financial Strategy Cabinet 13 September 2017 – Revenue and Capital Budget Monitoring Update, Quarter 1 2017-18
<b>List of appendices (if any):</b>	<b>Appendix A</b> – Revenue Outturn Position 2017/18 – Quarter2 <b>Appendix B</b> – Revenue Variance Explanations <b>Appendix C</b> – Capital Programme 2017/18 – Quarter 2 Position <b>Appendix D</b> – Property Acquisition Report 2017 – Bardon <b>Appendix E</b> – Sensitivity Analysis

## Revenue Outturn Position 2017/18 – Quarter 2

	Quarter 2			
	Original Budget £'000	Revised Budget £'000	Projected Outturn £'000	Variance £'000
	Excluding recharges			
Communities	1,220	1,215	1,216	1
Finance & Corporate Services	3,403	3,351	3,256	(95)
Neighbourhoods	3,971	4,055	4,034	(21)
Transformation	2,849	2,929	2,891	(38)
<b>Sub Total</b>	<b>11,443</b>	<b>11,550</b>	<b>11,397</b>	<b>(153)</b>
Capital Accounting Reversals	(1,587)	(1,587)	(1,587)	0
Minimum Revenue Provision	1,000	1,000	1,000	0
<b>Net Service Expenditure</b>	<b>10,856</b>	<b>10,963</b>	<b>10,810</b>	<b>(153)</b>
Revenue Contribution To Capital	158	158	158	0
Transfer to/(from) Reserves	(27)	(134)	(134)	0
<b>Total Net Service Expenditure</b>	<b>10,987</b>	<b>10,987</b>	<b>10,834</b>	<b>(153)</b>
Grant Income (including New Homes Bonus)	(2,334)	(2,334)	(2,444)	(110)
Business Rates (including SBRR)	(2,561)	(2,561)	(2,491)	70
Council Tax	(6,074)	(6,074)	(6,074)	0
Collection Fund Surplus	(18)	(18)	(18)	0
<b>Total Funding</b>	<b>10,987</b>	<b>10,987</b>	<b>11,027</b>	<b>(40)</b>
<b>Total Variance (to Reserves at year end)</b>	<b>0</b>	<b>0</b>	<b>(193)</b>	<b>(193)</b>

**Revenue Variance Explanations (over £15k)**

<b>ADVERSE VARIANCES in excess of £15,000</b>	<b>Projected Outturn Variance £'000</b>
<b>Finance &amp; Corporate Services</b>	
Insurances - Increases in the Motor Insurance premium and Insurance Premium Tax	24
<b>Transformation</b>	
Economic Development - rental income Cotgrave	20
Office Accommodation – Actual valuation of the Arena NNDR (Business Rates) by Valuation Office	70
<b>Neighbourhoods</b>	
Leisure Centres - East Leake NNDR (Business Rates) revaluation and increase in contract price	55
Waste Collection and Recycling - Agency costs to cover sickness and vacancies	61
<b>Total Adverse Variances</b>	<b>230</b>

<b>FAVOURABLE VARIANCES in excess of £15,000</b>	<b>Projected Outturn Variance £'000</b>
<b>Communities</b>	
Community Parks & Open Spaces - Renegotiated catering contracts at Rushcliffe Country Park	(15)
<b>Finance &amp; Corporate Services</b>	
Council Tax - Staff vacancies	(16)
Housing Benefit - overpayments recovered	(50)
Council Tax Benefit - Staff vacancies	(21)
Housing Benefit Admin - staff vacancies	(18)
<b>Transformation</b>	
IT rechargeables - savings from contracts and duplicated accruals	(50)
Customer Services - Staff vacancies	(15)
Investment Properites	(50)
<b>Neighbourhoods</b>	
Waste Collection and Recycling - staff vacancies (£17k) and Green Waste income above target (£88k)	(105)
<b>Total Favourable Variances</b>	<b>(340)</b>
<b>Sum of Minor Variances</b>	<b>(43)</b>
<b>TOTAL VARIANCE</b>	<b>(153)</b>

<b>FUNDING VARIANCES</b>	<b>Projected Outturn Variance £'000</b>
<b>Original Funding:</b>	
Business Rates - this is the difference between the budgeted income and NNDR1	70
Grant Income (including New Homes Bonus)	(8)
<b>Additional S31 Grants:</b>	
Flexible Homelessness Support Grant	(55)
New Burdens - DHP Administration Grant	(11)
New burdens funding	(12)
IER funding	(19)
New Burdens - Benefit Cap	(5)
<b>TOTAL VARIANCE</b>	<b>(40)</b>

## Capital Programme 2017/18 – Quarter 2 Position

CAPITAL PROGRAMME MONITORING - SEPTEMBER 2017						Explanation
	Original Budget	Current Budget	Actual YTD	Projected Actual	Variance	
		£000	£000	£000	£'000	
<b>TRANSFORMATION</b>						
Cotgrave Regeneration & MSC	2,920	4,616	148	4,616	0	Contracts awaiting finalisation. Works not yet commenced but budgets will need reprofiling in Qtr 3 to reflect slippage
Cotgrave Employment Land	0	1,477	1,254	1,477	0	Units complete and nearly wholly let.
Land North of Bingham	2,800	5,387	0	387	(5,000)	Leisure and Wellbeing land acquired and due for disposal. The £2.5m LEP funding allocated to the Land North of Bingham (match funded with £2.5m New Homes Bonus) can be removed from the 2017/18 programme as it is no longer required for the original scheme. Provisional reallocation of the LEP element of the provision in the 2018/19 programme.
Bingham Land off Chapel Lane	0	1,800	1,581	1,800	0	Land acquisition complete. Remediation costs to be incurred.
Highways England Footbridge A46	1,700	0	0	0	0	Cabinet approved slippage 10.10.17
Bridgford Hall	0	205	107	205	0	Final contract costs and retention to be processed
RAF Newton	750	750	0	0	(750)	This LEP funding can be removed as it is no longer required for the original scheme. Sum to be provisionally reallocated in the 2018/19 programme.
The Point	25	25	0	25	0	Works scheduled for the end of the year
Arena Car Park Enhancements	500	500	0	500	0	Works are currently being scoped and scheme to be agreed
Colliers Way Industrial Units	0	20	0	20	0	Interdependent with Barratt's housing development
Information Systems Strategy	165	330	66	280	(50)	
	<b>8,860</b>	<b>15,110</b>	<b>3,156</b>	<b>9,310</b>	<b>(5,800)</b>	
<b>NEIGHBOURHOODS</b>						
Wheeled Bins	70	70	51	70	0	
Vehicle Replacement	20	240	187	188	(52)	Planned replacements complete in July, balance available
Support for Registered Housing Providers	250	909	6	0	(909)	No schemes identified yet, projected actual will be amended when grants committed. Actual is staff time which will be written off to revenue if no grants processed.
Hound Lodge - Heating	40	0	0	0	0	Cabinet approved slippage 10.10.17
Assistive Technology	0	12	10	12	0	
Discretionary Top Ups	0	106	24	106	0	
Disabled Facilities Grants	375	412	225	412	0	
Arena Redevelopment	500	183	0	58	(125)	Final costs to be processed - 1% overall saving projected
Car Park Machines	0	50	27	50	0	Machines installed, functionality issues to be resolved
Car Park Improvements - Lighting	50	50	0	0	(50)	Works deferred to 2018/19.
BLC Artificial Turf Pitch		10	0	10	0	Works complete and in defects period



CAPITAL PROGRAMME MONITORING - SEPTEMBER 2017						
	Original Budget	Current Budget	Actual YTD	Projected Actual	Variance	Explanation
		£000	£000	£000	£'000	
BLC Improvements	130	130	2	130	0	The schedule of works is being drawn up Improvements largely complete, electrics work still to do
EGC Upgrade Facilities	0	16	0	16	0	
	<b>1,435</b>	<b>2,188</b>	<b>532</b>	<b>1,052</b>	<b>(1,136)</b>	
<b>COMMUNITIES</b>						
Capital Grant Funding	48	100	34	100	0	£46,000 still available for allocation, 3 applications pending.
Play Areas - Special Expense	50	100	0	100	0	Revised plans to replace the skate-park at the Hook
West Park Fencing and Drainage	0	34	21	34	0	Fencing element complete, drainage work to be commissioned
West Park Lighting	25	25	0	0	(25)	Works deferred to 2018/19.
RCP - Car Park	90	90	0	90	0	Planned for Oct/Nov after school holidays
Gamston Community Centre - Heating	30	0	0	0	0	Cabinet approved slippage 10.10.17
Warm Homes on Prescription	0	50	0	50	0	Better Care Funding secured
	<b>243</b>	<b>399</b>	<b>55</b>	<b>374</b>	<b>(25)</b>	
<b>FINANCE &amp; CORPORATE SERVICES</b>						
NICCC Loan	1,400	1,798	542	1,320	(478)	The loan is being released in tranches Individual schemes dealt with via investment appraisal
Asset Investment Strategy	3,000	8,500	0	8,500		
	<b>4,400</b>	<b>10,298</b>	<b>542</b>	<b>9,820</b>	<b>(478)</b>	
<b>CONTINGENCY</b>						
Contingency	190	290	0	290	0	
	<b>190</b>	<b>290</b>	<b>0</b>	<b>290</b>	<b>0</b>	
<b>TOTAL</b>	<b>15,128</b>	<b>28,285</b>	<b>4,285</b>	<b>20,846</b>	<b>(7,439)</b>	

## Property Acquisition Report 2017 – Bardon

### 1. Background

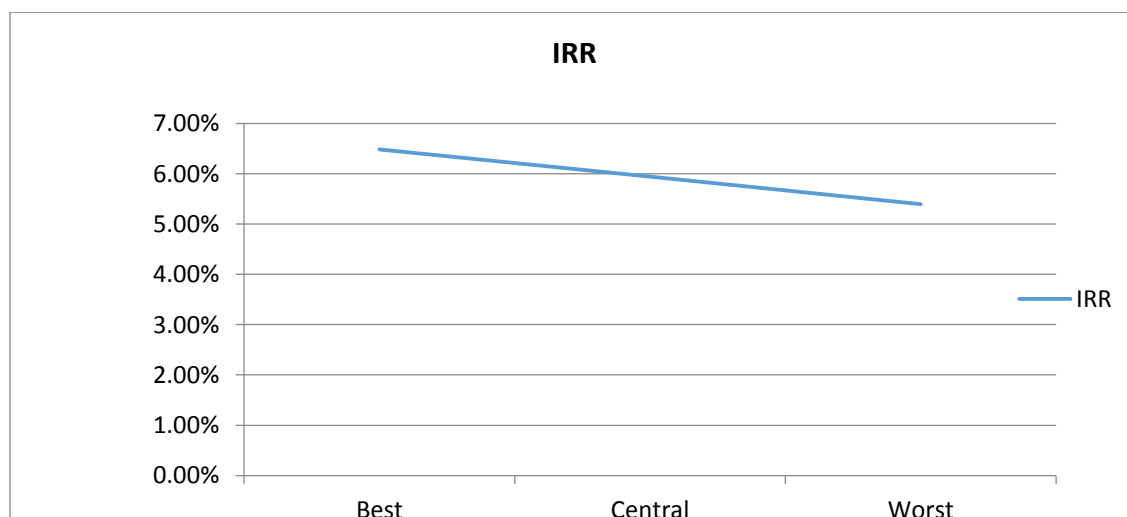
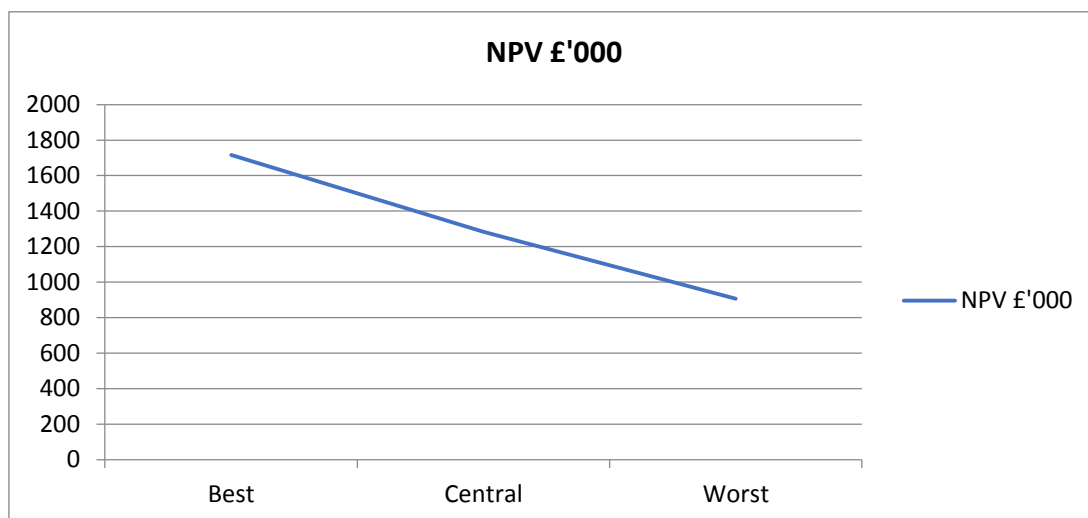
- 1.1 On 2<sup>nd</sup> October the Council completed the acquisition of Bardon with an anticipated cost of £1.917m (including stamp duty, professional fees etc). In undertaking the purchase advice was sought from the Council's agent (Savills) in relation to this property. This included a visit to the property by both Savills and the Council's Service Manager for Transformation (lead specialist for Property Services, RICS qualified).
- 1.2 The property itself is in a well-established distribution/warehouse location, close links to j22 M1 (2.5 miles) and 6.5 miles to A42 and 12.5 miles to M42. Located in what is known as the 'Golden Triangle'.
- 1.3 Key points from the assessment are as follows:
  - Strong tenant covenant (3A1);
  - 9.5 year lease remaining;
  - Good location;
  - Well established distribution/business park;
  - Strong demand, short supply – asset value would only be marginally lower with no tenant;
  - Assessment of the lease shows no real concerns for the Landlord. Internal repairs rest with the tenant; and
  - Risks – single occupier, break at year 5, older property (although portal frame and the inspection showed no signs of particular concern).
- 1.4 The £1.8m investment gives an estimated 5.57% return on investment and a yield of 6.25%.
- 1.5 Sensitivity analysis at Appendix E shows the impact of surrounding assumptions on inflation and rental increases. The rate of return using 100% capital receipts identifies after 40 years a positive net present value (for the central case) of around £1.28m and an internal rate of return after financing costs of 5.94% (typically Government Green Book projects aim for 3.5% IRR).

### Sensitivity Analysis

1. The following assumptions have been made ranging from worst, central to best case scenarios (being as realistic as possible):

Sensitivity	Best (pa)	Central (pa)	Worst (pa)	Rationale
Inflation for management costs and repairs	1.7%	2.0%	2.3%	Central case being Government inflation target
Inflation on rent and asset value; rent review 5 yearly	2.5%	2.0%	1.5%	Linked to inflation targets and more variable
Variable borrowing rates. Borrowing assumed over 40 years for 50% of financing	Current rate	+0.30%	+0.60%	Assume interest rate rises
Vacancy factor	Assume 18 months vacancy at year 11, 21 etc			

2. Using the above assumptions and assuming disposal in Year 40 gives a positive Net Present Value ranging from £0.9m to £1.7m and an internal rate of return ranging from 6.48% to 5.39%.



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 <p><b>Rushcliffe</b> Borough Council</p>	<p><b>Cabinet</b></p> <p><b>9 January 2018</b></p> <p><b>Proposed Nottinghamshire Joint Enforcement Protocol for Private Hire and Hackney Carriage Vehicles and Drivers</b></p>	<h1>5</h1>
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## Report of the Executive Manager - Neighbourhoods

### Cabinet Portfolio Holder for Community and Leisure Councillor D J Mason

#### 1. Summary

- 1.1. This report details the proposed changes to Taxi Licensing enforcement across Nottinghamshire. The current legislation, the Local Government (Miscellaneous Provisions) Act 1976 only allows authorised Officers from the local authority who have licensed vehicles (either Hackney Carriage or Private Hire) and drivers to take action against them. This causes problems in other local authority areas when a vehicle is seen to be operating illegally and enforcement cannot be carried out by their officers.
- 1.2. It is proposed that Rushcliffe Borough Council follow an agreed enforcement protocol drawn up by Nottinghamshire Councils and that officers are authorised to take enforcement action on other vehicles and drivers licensed by protocol partner authorities.

#### 2. Recommendation

It is RECOMMENDED that

- a) The proposed joint enforcement protocol be considered and approved (see Appendix A)
- b) The Executive Manager Neighbourhoods to be granted delegated powers to sign the Protocol on behalf of the Council and authorise Rushcliffe Borough Council officers accordingly.

#### 3. Reasons for Recommendation

- 3.1. The development of this Joint Enforcement Protocol for Private Hire and Hackney Carriage Vehicles and Drivers is a very positive step in maximising the signatory Council's enforcement powers in this important and high profile industry.
- 3.2. A decision by the Council to participate in the protocol will send out a strong collaboration message along with other Nottinghamshire Council's and will allow officers to take appropriate enforcement action in a more consistent and coordinated manner.

#### **4. Supporting Information**

- 4.1. The current taxi legislation which was introduced in 1847 and 1976 is outdated and for enforcement it does not provide all the tools necessary to regulate the modern taxi industry. For example approximately two years ago, the Government introduced de-regulation allowing Private Hire Operators to cross-border hire; this has brought more vehicles that are licensed in other areas, into the County and City areas. Recently at a national level there have been a number of attempts to update and modernise the legislation, but to date this has not occurred.
- 4.2. Building on earlier positive joint work such as the shared Relevant Convictions Policy lead by Rushcliffe BC and to help respond to concerns about the limitations of the current legislation Nottinghamshire Councils have again worked together to develop a Joint Enforcement Protocol for Private Hire and Hackney Carriage Vehicles and Drivers. If agreed this Protocol would facilitate cross border enforcement activity by allowing officers to require inspection of licence/badges under Section 53 (3) Local Government Miscellaneous Provisions Act 1976, inspect and test vehicles and suspend if not satisfied as to fitness under Section 68 and provide for the offence of obstruction of the authorised officer under Section 73.
- 4.3. In addition to all of the Nottinghamshire Authorities, Councils in neighbouring Counties have also indicated that they may sign up to the protocol thus building on the public protection arrangements. Furthermore other Councils such as Wolverhampton City Council, who at present have over 5,000 licensed Private Hire vehicle operating outside of their boundary, intend to adopt the protocol as many of their vehicles operate in the County and Nottingham City areas.

#### **5. Other Options Considered**

- 5.1. The current situation could remain, however this would perpetuate the scenario of officers being unable to enforce existing legislation on vehicles and drivers who may be operating illegally within the Borough.

#### **6. Risk and Uncertainties**

- 6.1. Due to the nature of the legislation the protocol is limited to taking action in respect of drivers and their vehicles.

#### **7. Implications**

##### **7.1. Finance**

Enforcement activity in connection with the Protocol will be contained within existing resources.

##### **7.2. Legal**

The Borough Solicitor has been consulted on the proposed protocol and has given no objections.

### 7.3. Corporate Priorities

This enforcement protocol assists the Council to meet its Corporate Priorities. The improved enforcement measures and greater public protection will help to support the priority of maintaining and enhancing residents' quality of life and enable the delivery of efficient high quality services

<b>For more information contact:</b>	Dave Banks Executive Manager – Neighbourhoods. 0115 914 8438 <a href="mailto:dbanks@rushcliffe.gov.uk">dbanks@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	None.
<b>List of appendices (if any):</b>	<b>Appendix A</b> – Proposed Joint Enforcement Protocol for Private Hire and Hackney Carriage vehicles and drivers

**CROSS BORDER  
ENFORCEMENT**

**OPERATIONAL PROTOCOL**

**PRIVATE HIRE & HACKNEY  
CARRIAGE VEHICLES & DRIVERS**

**Nottingham City Council  
Nottinghamshire District Councils**

Date & Version 271117 v5  
Amendments:



## 1. APPLICATION AND BACKGROUND

- 1.1 This Operational Protocol (“Protocol”) applies to the Partner Council’s listed in the Schedule attached. The purpose of this Protocol is to facilitate the discharge of the Delegated Powers by Authorised Officers of the Partner Councils in relation to Private Hire and Hackney Carriage Vehicles and Drivers. The Protocol encourages a collaborative working partnership between all Partner Councils
- 1.2 This Protocol is intended to bind a Partner Council from the date of their signature hereto as reflected in Appendix 1 and will cease to apply to a Partner Council either by the withdrawal of the Delegated Power in accordance with paragraph 1.3 below or upon the expiry of 3 months written notice given to all other Partner Council(s) which ever shall occur first.
- 1.3 Notwithstanding the terms and conditions of this Protocol, it does not prejudice the right of any Partner Council to withdraw the Delegated Powers at any time or to exercise the Delegated Powers concurrently. However each Partner Council undertakes not to withdraw the Delegated Powers unreasonably.
- 1.4 For the avoidance of doubt, this Protocol shall cease to bind a Partner Council if the Delegated Functions ever become the responsibility of the Executive of that Council.

## 2. INTERPRETATION

For the purposes of this Protocol the following words or phrases shall have the following meaning:

Authorised Officers	Officers authorised by a Partner Council under section 80 of the 1976 Act
Contact Officer	a designated officer of a Partner Council for the purpose specified at Clause 3.3 of this Protocol.
Controlled District	an area in relation to which a resolution has been passed by a district council under section 45 of the 1976 Act applying Part II of that Act
Delegated Powers	the powers identified in Appendix 2
Enforcement Action	any action to be taken by a Partner Council as a result of information

	obtained from the exercise of the Delegated Powers of whatever nature
Hackney Carriage Vehicle	a vehicle licensed under section 37 of the 1847 Act
Hackney Carriage Driver	a driver licensed as such under section 46 of the 1847 Act
Licensing Partner Council	the Partner Council which has issued the licence for the vehicle/driver concerned
Partner Council	any Council listed in Appendix 1 to this Protocol
Personal Data	any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person
Private Hire Vehicle	a vehicle licensed under section 48 of the 1976 Act
Private Hire Driver	a driver licensed as such under section 51 of the 1976 Act
1976 Act	the Local Government (Miscellaneous) Provisions Act 1976
1847 Act	the Town and Police Clauses Act 1847

### **3. WORKING ARRANGEMENTS**

- 3.1 Authorised Officers may discharge the Delegated Powers in respect of Private Hire and Hackney Carriage Vehicles and Drivers licensed by any other Partner Council whilst such a vehicle and/ or driver are in the Controlled District of the Authorised Officer.
- 3.2 Each Partner Council will designate a Contact Officer to whom information, concerns and intelligence gathered in relation to any of its licensed Private Hire and Hackney Carriage Vehicles or Drivers can be passed by secure means, digitally or otherwise and in compliance with section 4 of this Protocol.
- 3.3 Where Enforcement Action is deemed necessary as a result of an exchange of information under 3.2 above the Partner Council supplying that information will provide all reasonable and necessary assistance to the Licensing Partner Council, including, if necessary the provision of witness statements and attendance at court.
- 3.4 In relation to the exercise of the Power under section 53 of the 1976 Act, an Authorised Officer requiring a hackney carriage/private hire driver to produce his driver's licence for inspection at the principal offices of their Licensing Partner Council shall both:-
- a) warn the driver of the criminal offence committed if there is a failure to comply with his request, without a reasonable excuse and
  - b) notify the Licensing Partner Council as soon as reasonably practicable, of the request and provide the relevant details of the action in writing.
- 3.5 In relation to the exercise of the Power under section 68 of the 1976 Act:-
- a) if an Authorised Officer is not satisfied as to the fitness of a hackney carriage or private hire vehicle they may suspend the vehicle licence until such time as an Authorised Officer of the Licensing Partner Council is so satisfied as to its condition.
  - b) If an Authorised Officer suspends the vehicle licence written notification of the suspension must be given by the Authorised Officer to the Licensing Partner Council as soon as practicable as well as to the proprietor of the vehicle.
- 3.6 Enforcement of the Power under section 68 of the 1976 Act: rests with the Licensing Partner Council which authorised the officer.

3.7 Where a joint operation between Partner Councils is being carried out Authorised Officer's remain at all times the responsibility of the Partner Council by whom they are authorised and will provide all reasonable and necessary assistance to any other Partner Council involved in the operation. The Contact Officers of the Partner Councils involved in the joint operation will agree which Authorised Officer will be appointed to oversee the operation. Risk assessments should be carried out by the Lead Authority in any operation and agreed in advance with the relevant Partner Councils.

3.8 Unless there is prior agreement between Partner Councils no reimbursement will be made by one Partner Council to another for time spent/ cost incurred by any Authorised Officer in the exercise of any of the Delegated Powers pursuant to this Protocol.

3.9 Partner Councils will be solely responsible for the Health and Safety of their own Authorised Officers and provide training, support and assistance suitable to the role as required.

#### **4. TRANSFER OF INFORMATION/INTELLIGENCE BETWEEN PARTNER COUNCILS**

4.1 Information and intelligence shared by Partner Councils should be concise and accurate and provided in a timely manner to the relevant Contact Officer. Personal data should only be shared for a specific lawful purpose or where appropriate consent has been obtained.

4.2 This agreement does not give licence for unrestricted access to information another partner may hold. It sets out the parameters for the safe and secure sharing of information for a justifiable need to know purpose.

4.3 Partners are responsible for ensuring that their organisational and security measures protect the lawful use of information shared under this agreement.

4.4 partners will ensure that a reasonable level of security is applied to all data held appropriate to the level of risk and in accordance with the data protection principle 7 and any similar principle in successor legislation.

4.5 Partners employees processing information shared under this agreement are expected to be trained to a level that enables them to undertake their duties confidently, efficiently and lawfully.

4.6 Each partner has the power to audit the other to ensure compliance with the agreement.

4.7 Partners should have procedures in place to report misuse, loss, destruction, damage or unauthorised access, suspected or otherwise,

of information. The partnership organisation originally supplying the information should be notified of any breach of confidentiality or incident involving a risk or breach of the security of information supplied under this agreement.

4.8 Personal data shall not be transferred to a country or territory outside the EEA without an adequate level of protection for the rights and freedoms of the data subject in relation to the processing of personal data.

4.9 All Partner Councils agree:

- a) To process Personal Data and information fairly and lawful;
- b) To keep the Personal Data confidential at all times and ensure it is used only for the purpose intended.
- c) The Personal Data held will be secured and disclosed solely for the discharge of the defined delegated powers or as otherwise required by law. The data must and will not be used for any other purpose.
- d) Requests for information received from an individual or organisation not party to this Protocol, whether for Personal Data or other information, shall be answered by the Partner Council receiving such a request in accordance with the relevant legislation, but before making a decision as to disclosure the relevant party it shall first consult such other Partner Council(s) as may be required.
- e) Personal Data shall only be accessed or disclosed by or to Authorised Persons.
- f) For the avoidance of doubt Personal Data held by any Partner Council is held by that Council as data controller and each Partner Council agrees to fulfil all its obligations under the Data Protection Act 1998 and successor legislation including the General Data Protection Regulation.
- g) Any request for information by a Partner Council to another shall be answered promptly where such request is for the purpose of meeting or delivering the discharge of the Delegated Powers; but any such request will only be answered where to do so does not breach the Data Protection Act 1998 and successor legislation including the General Data protection Regulation, the Freedom of Information Act 2000; and/or other legislation
- h) Personal Data shall be retained for no longer than 12 months after which it shall be securely destroyed or, in the case of a prosecution by the Licensing Partner Council, until that prosecution has been discharged.

6. **RESPONSIBILITIES AND ACTIONS OF PARTNER COUNCIL'S**

- 6.1 The employing Partner Council shall be liable for the actions of the Authorised Officers within its employ and shall take all reasonable steps to ensure the competence of those persons in carrying out their functions and that they comply with legislative requirements and the spirit of this Protocol.
- 6.2 Information/intelligence provided between Partner Councils shall be used for the purpose intended and shall not be divulged to third parties unless to do so would be lawful.

7. **SIGNATORY PARTNER COUNCILS**

- 7.1 Before signing this Protocol each Partner Council will provide written evidence to each other Partner Council of its resolution in accordance with its constitution confirming the delegation of the Delegated Powers to the other Partner Councils pursuant to section 101 of the Local Government Act 1972 and its appropriate authority to enter into reciprocal arrangements for the exercise of those Delegated Powers.

NOTTM LOGO

Nottingham City Council

Name: Andrew Errington

Position: Director – Community Protection

Signature..... Date:  
On behalf of Nottingham City Council Community Protection



**Rushcliffe Borough Council**

**Name:**

**Position:**

**Signature.....**  
**On behalf of Rushcliffe Borough Council**

**Date:**

DRAFT



## Appendix 1

### LIST OF COUNCILS

**Ashfield District Council**

**Bassetlaw District Council**

**Broxtowe Borough Council**

**Gedling Borough Council**

**Mansfield District Council**

**Newark & Sherwood District Council**

**Nottingham City Council**

**Rushcliffe Borough Council**

## Appendix 2 - DELEGATED POWERS

### Local Government (Miscellaneous) Provisions Act 19726

- S53(3)** produce drivers badge/licence for inspection
- S68** to inspect and test vehicles at reasonable times and suspend the licence if not satisfied as to their fitness.
- S73** obstruction of authorised officer

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 <p>Rushcliffe Borough Council</p>	<p><b>Cabinet</b></p> <p><b>9 January 2018</b></p> <p><b>Options for Tree Protection and Promotion in Rushcliffe</b></p>	<h1>6</h1>
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## **Report of the Executive Manager – Communities**

### **Cabinet Portfolio Holder for Community and Leisure Councillor D J Mason**

#### **1. Summary**

- 1.1. Tree protection and promotion is an issue often raised by Councillors and the wider public particularly as the Council supports significant housing and employment growth across the Borough.
- 1.2. Council resolved on 5 March 2015 that Cabinet investigate the possibility of a trees and woodlands policy in consultation with the Community Development Group and this resulted in the inclusion of a tree and woodland section in the Rushcliffe Nature Conservation Strategy which was approved by Cabinet in November 2015.
- 1.3. Council on 13 March 2017, discussed the tree policy, where it was confirmed that this was included within the Rushcliffe Nature Conservation Strategy and that the Rushcliffe Nature Conservation Strategy was not a planning policy but would be treated as a material planning consideration when determining planning applications.
- 1.4. Community Development Group was asked to consider further options for action and they have now met on 22 August 2017 and 21 November 2017 to consider new initiatives.
- 1.5. The outcome of these discussions includes a table of further opportunities for the Council, to support tree planting and protection, as detailed in the attached appendix. Whilst several actions can be contained within existing work there are also several actions that would require further council financial support equating to about £17,000 per annum.
- 1.6. The Community Development Group recommended that Cabinet support the table of actions and considers the creation of a three year tree budget of £50,000 to support this initiative. If this initiative is agreed the Community Development Group further recommended that they should receive an annual report on progress to ensure the required objectives of planting more trees and protecting where possible existing trees is being achieved.

## 2. **Recommendation**

It is RECOMMENDED that Cabinet:

- a) Endorse the table of actions detailed in Appendix 1
- b) Approve a three year £50,000 revenue budget commencing in April 2018 to support the new initiatives detailed in Appendix 1
- c) Request that annual monitoring reports on activity levels be presented to the Community Development Group.

## 3. **Reasons for Recommendation**

- 3.1. To consider how the Community Development Group resolution of 21 November 2017 should be implemented.

## 4. **Implications**

### 4.1. **Finance**

An allocation of £50,000 over three years is proposed and this will represent growth in the Medium Term Financial Strategy reported to Full Council in March 2018.

### 4.2. **Legal**

Supports the duty of the council in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity, enacted by the Natural Environment and Rural Communities Act 2006.

### 4.3. **Corporate Priorities**

This supports two of the priorities of the Council's Corporate strategy:

- Supporting economic growth to ensure a sustainable, prosperous and thriving local economy
- Maintaining and enhancing our residents' quality of life

<b>For more information contact:</b>	Dave Mitchell Executive Manager – Communities 0115 914 8267 <a href="mailto:dmitchell@rushcliffe.gov.uk">dmitchell@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	<ul style="list-style-type: none"> <li>• Minutes of the Meeting of the Council - Thursday 5 March 2015</li> <li>• Minutes of the Meeting of the Cabinet - Tuesday 10 November 2015</li> <li>• Minutes of the Meeting of the Council - Thursday 2 March 2017</li> <li>• Minutes of the Meeting of the Community Development Group - Tuesday 22 August 2017</li> <li>• Minutes of the Meeting of the Community Development Group - Tuesday 21 November 2017</li> </ul>
<b>List of appendices (if any):</b>	<b>Appendix A</b> - Tree options November 2017


## Appendix A: Tree options November 2017

<b>Enforcement</b>		Budget
TPO	i) Training in TPO for councillors / parishes ii) Councillors and Parishes to notify suitable trees to Landscapes Officer (could be supported by Tree Wardens, see below)	Existing
Planning	Include policies in Local plan part 2 e.g. "All planning applications will be considered with reference to the Rushcliffe Nature Conservation Strategy"	No budget required
Community Infrastructure Levy	Establish a community Infrastructure levy to provide funds for tree planting / ecological enhancements, via planning gain from development sites that are unable to mitigate their ecological requirements on site.	Existing
<b>Promotion</b>		
Rushcliffe Grants	i) Specimen trees / gateway trees to villages (potential new grant for small number of trees in prominent positions similar to the previous parish grant / cricket willow grant) ii) Existing Rushcliffe Biodiversity Management Grant (will support tree planting of native trees e.g. in hedgerows or open spaces for nature conservation purposes) iii) Community Support Scheme, councillors can allocate, funding from their community support scheme allocation to tree planting	New Budget required - £5000 pa  Existing or increase of £1000 to expand  Existing Members budget
Free tree scheme	Public supply of trees (possibly as per a scheme run by North West Leicestershire District Council see <a href="https://www.nwleics.gov.uk/news/2017/09/27/bring_life_and_colour_to_the_district_through_free_tree_scheme">https://www.nwleics.gov.uk/news/2017/09/27/bring_life_and_colour_to_the_district_through_free_tree_scheme</a> )	New budget required - £10,000 (based on 13,500 trees supplied, as per NWLDC at 50p each plus admin costs)
Other Grants	Links to the Woodland Trust grants and Forestry Commission grants are given on the Rushcliffe Borough Council website. This information can also be shared at events and was published in the 'trees for life' article in the spring 2016 Rushcliffe Reports. Further publicity for these grants can be generated.	No budget required
Tree Charter	Woodland Trust campaign to promote to build a future in which trees and people stand stronger together. Action can be as simple as signing up to receive free copies of the Tree Charter's newspaper "Leaf!" to gathering signatures of support, to more imaginative projects and activities around trees (e.g. apple fairs or tree days), for which funding of up to £1500 is available.	Existing budget
Hedge Tree Campaign	Tree council campaign to mark saplings with easy-to-see tags, so that they can be avoided when cutting hedges. This can be promoted via publicity and volunteer schemes.	Existing budget
Tree Wardens	The Tree Warden Scheme is a national initiative to enable people to play an active role in conserving and enhancing their local trees and woods. The scheme was founded and is co-ordinated by The Tree Council.	£500 p.a. required

	<p>Tree Wardens are volunteers, appointed by parish councils or other community organisations, who gather information about their local trees, get involved in local tree matters and encourage local practical projects related to the trees and woods.</p> <p>This is a scheme we could promote through the parish network and organisations in the urban area and support by organising training, wardens could help identify opportunities for promotion, planting and protection.</p>	
Forum	<p>i) Parish Forum – promotion of opportunities for parishes to promote, plant and protect trees, including all the items above. Use County landscape assessment to identify opportunities for each parish.</p> <p>ii) Landowners Forum - promotion of opportunities for landowners to promote, plant and protect trees, including all the items above, working with NFU, IDB, Small Woodland Owners Group, Rushcliffe Business Partnership etc.</p>	<p>Existing budget</p> <p>Existing budget</p>
Highways trees	Discussions with Highways England and NCC about verge management are ongoing. Including volunteer verge management	Existing or possibly £500 p.a.
Community Awards	Ensure there are awards for environmental actions including tree planting / promotion / protection – Could be called the Paul Green Award (previous chair of Rushcliffe Agenda 21 and promoter of environmental projects including 'Trees across Rushcliffe')	Existing Budget
	Potential total increase in costs	£17000

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 <p>Rushcliffe Borough Council</p>	<p><b>Cabinet</b></p> <p><b>9 January 2018</b></p> <p><b>Review and Future of YouNG</b></p>	<h1>7</h1>
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## Report of the Chief Executive

### Portfolio Holder for Community and Leisure Councillor D J Mason

#### 1. Summary

- 1.1. The Council's Corporate Strategy key objective of “maintaining and enhancing our residents’ quality of life” has a strategic task to “facilitate activities for children and young people to enable them to reach their potential”. Despite some significant success, progress and achievement the desire to establish an independent/ arm’s length body has been difficult to achieve.
- 1.2. In late 2016 to assist the Council in determining its future commitment and involvement in the YouNG initiative an independent report was commissioned and produced by Internet Guru Ltd. This report was received and considered by Cabinet in January 2017 and it was resolved to request that the Community Development group evaluate and scrutinise the findings contained within the report received from Internet Guru and make recommendations back to Cabinet regarding the future delivery of YouNG.
- 1.3. The Community Development Scrutiny group met over the course of 2017 to scrutinise the activity of YouNG and a number of options regarding how YouNG could be delivered in the future were considered and evaluated..
- 1.4. This report presents the outcome of the Community Development scrutiny’s work and which recommends commissioning Trent Bridge Community Trust (TBCT) as a partner agency to deliver and grow the YouNG brand and project.

#### 2. Recommendation

It is RECOMMENDED that Cabinet:

- a) Approve the formation of a delivery partnership with Trent Bridge Community Trust.
- b) Delegates authority to the Executive Manager Communities, in consultation with the Portfolio Holder for Community and Leisure to agree the final Governance arrangements, ‘in kind’ staff resources and associated Service Level Agreements, income and performance targets.
- c) Commit to the existing budget provision of £82,000 per annum until December 2020 so as to enable the YouNG project to establish a sustainable partnership with Trent Bridge Community Trust.

- d) Endorse the proposed Governance arrangement contained in Appendix 1.

### 3. Reasons for Recommendation

- 3.1. To enable the YouNG model to evolve, the elements of leadership, continuity, sustainability and increasing reach must be addressed, along with a clear plan of how the Council could relinquish its leadership role over time. To achieve this, continued investment will be required in the short term.
- 3.2. The collaborative opportunities of working in partnership with Trent Bridge Community Trust provide synergies with aligned management of the Positive Future programme and the economics of scope which provides an increased opportunity of sustainability in the future.
- 3.3. The collaboration would enable the YouNG to refocus on work experience opportunities and employability activities.

In broad terms, **Trent Bridge Community Trust** agrees:

- To provide 30 dedicated hours per week management of the programme.
- To develop an accreditation scheme for businesses to be young person friendly and provide work experience placements.
- To deliver a weekly YouNG ambassadors programme which includes a youNG ambassador representative from each of the seven secondary schools across Rushcliffe and provides; mentoring support, accreditations, educational workshops, careers advice and guidance and employability activities via digital channels into schools.
- Redefine and develop a range of work experience placement under the following headings;

Snapshot	- business insight (half day/1 day)
Traditional	- 1 week
Long Term	- 1 or 2 days per week (reduced timetable)

- Promote work experience and employability opportunities via a dedicated website and through social media and other marketing channels
- To deliver existing projects such as the YouNG Goes Euro, Enterprise International and the ESF Move ahead and Stay ahead project.
- Deliver the YouNG markets initiative across Rushcliffe
- Commitment to recruit and develop Interns annually.

### 4. Supporting Information

- 4.1. On 1 June 2017, the Community Development Group received a presentation on the Internet Guru report. The Group received a number of options to consider the future delivery of the YouNG project.

They were as follows:

- Continue the programme as it is
- RBC continues to fund a scaled down version of YouNG by consolidating services and discontinuing some projects currently offered
- Explore options with other partners
- Cease delivering YOUNG

4.2. The group requested that officers explore options with other partners to deliver YouNG as a collaborative arrangement. They also requested that a member briefing session be convened to provide wider Members with a better understanding and insight into the work of YouNG. This Member session was delivered on 19 of July 2017.

4.3. The Community Development group of the 22 August provided clarity on the parameters for YouNG and a timescale for funding the YouNG initiative to enable it to develop a sustainable future. The group also requested that officers explore the option of collaborating with Trent Bridge Community Trust to deliver YouNG.

4.4. Community Development group on the 21 November received a presentation from the Trent Bridge Community Trust enabling discussion and debate about future collaboration. The group resolved to support the proposed delivery model of a partnership between YouNG and the Trent Bridge Community Trust and recommended that a report be submitted to Cabinet in January 2018 seeking approval.

## **5. Other Options Considered**

5.1 Other options considered were to continue the programme as it is, fund a scaled down version or cease delivering YouNG completely. These options were considered as follows;

### Continue the programme as it is

- This option would reduce opportunities to generate income from local and regional partners that could be applied for by the Trent Bridge Community Trust due to its charitable status.
- Limited scope for delivery of wider participation beyond current ambassador and market concept.
- Ongoing Local Authority funding requirement resulting in longer-term dependency

### RBC continues to fund a scaled down version of YouNG

- Reduction of impact for local young people receiving 'real' work experience and employability skills which would impact on their social mobility.
- This option would further reduce opportunities to generate income from local and regional partners.

## Cease delivering YouNG

- Abandonment of supporting current strategic task.
- Potential reputational damage with parents, schools and local business that have been established during the course of the project.
- Reduction in connectivity to the skills agenda with business and regional bodies.

### **6. Governance**

- 6.1. It is proposed to establish a Strategic Group which would govern both Positive Futures and YouNG and be aligned with the wider Trent Bridge Community Trust. Relevant partner organisations would be represented on the Board which is proposed to meet every three months and set the overall strategic direction of the programmes. (See Appendix 1)

### **7. Risk and Uncertainties**

- 7.1. The risk of not entering into a partnership with Trent Bridge Community Trust is that a viable option for the future delivery of YouNG cannot be identified and, therefore, the initiative has to cease. This would leave a gap in employment support and guidance for young people in the Borough.
- 7.2. The risk of entering into the partnership is that delivery by Trent Bridge Community Trust may fall short of targets and/or future external funding may not be secured. This could be mitigated by the robust monitoring and governance processes proposed.

### **8. Implications**

#### **8.1. Finance**

The net budget for YouNG in 2017/18 is £82,000, excluding recharges. Implications from any proposals arising from the Trent Bridge Community Trust presentation will need to be considered as part of the Medium Term Financial Strategy, which should ultimately be at least budget neutral.

The Funding period would align with the Positive Futures programme at which point both Service Level Agreement would be up for review prior to expiry of both agreements in December 2020.

#### **8.2. Legal**

There are no direct implications contained within this report.

#### **8.3. Corporate Priorities**

- Supporting economic growth to ensure a sustainable, prosperous and thriving local economy.

- Maintaining and enhancing our residents' quality of life.
- Transforming the Council to enable the delivery of efficient high quality services.

#### 8.4. Other Implications

YouNG work actively to promote equal opportunities in all aspects of service delivery.

<b>For more information contact:</b>	Allen Graham Chief Executive 0115 914 8519 <a href="mailto:agraham@rushcliffe.gov.uk">agraham@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	Report to the Community Development Group, 17 March 2015. 'YouNG Update.'  Report to Cabinet, 8 September 2015. 'Establishment of YouNG as a Community Interest Company.'  Report to Cabinet 10 January 2017 'Review and Future of YouNG.'  Report to Community Development Group 1 June 2017  Report to Community Development Group 22 August 2017  Report to Community Development Group 21 November
<b>List of appendices (if any):</b>	<b>Appendix 1 - Proposed Governance Structure</b>

# Governance



**Strategic Group**  
School / Business / TBCT / RBC

**MARK CLIFFORD**



**Interns, Ambassadors, Volunteers, Apprentices, Project Officers**

 <p>Rushcliffe Borough Council</p>	<p><b>Cabinet</b></p> <p><b>9 January 2018</b></p> <p><b>Rushcliffe Miniature Railway Extension – Rushcliffe Country Park</b></p>	<h1>8</h1>
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## **Report of the Executive Manager, Transformation and Operations**

### **Cabinet Portfolio Holder for Economic and Business Councillor A Edyvean**

#### **1. Summary**

- 1.1. The Nottingham Society of Model and Experimental Engineers Ltd (NSMEE), Ruddington has been operating a model railway at the Nottingham Transport Heritage Centre in Ruddington for many years.
- 1.2. NSMEE would like to extend the existing model railway utilising some land at the adjacent Rushcliffe Country Park. Heads of terms have been agreed with the NSMEE and the lease then needs the approval of Cabinet as it is in effect a disposal (albeit on a leasehold basis) of land classed as open space.

#### **2. Recommendation**

It is RECOMMENDED that

- a) Cabinet approves, in principle, the lease of the land (indicated in the red line are on the attached plan) to NSMEE for a period of 21 years (with breaks)
- b) Cabinet agrees to an advertisement in the Nottingham Post of the proposed lease, and any objections received are then considered by the Portfolio Holder for Business and Economy prior to the Council formally enacting the lease.

#### **3. Reasons for Recommendation**

- 3.1. The Nottingham Society of Model and Experimental Engineers Ltd (NSMEE) was founded in 1929 and is one of the longest established societies in the UK. From humble beginnings, its membership is now in excess of 235, whose interests span the many branches of model engineering as well as horology (the art and/or science of measuring time). The society now has its permanent home within the Nottingham Transport Heritage Centre (in Ruddington) and actively participates in the work of the centre alongside its Great Central Railway colleagues.
- 3.2. NSMEE has been actively looking to extend the model railway for some time and has been working with Rushcliffe Borough Council to develop its plans. (Previous Cabinet Holder for Community, Cllr John Cottee was actively involved.) The lease will allow for construction of an 800ft extension loop at the eastern end of the existing ground level 7 ¼” gauge track onto part of Rushcliffe Country Park. The area of land that the track would extend around

is a largely tree covered area adjacent to the current track, which is not currently accessed by the public so there would be minimal impact on visitors to the park. In addition, the NSMEE would actively manage the area of woodland which will be beneficial for its future health and quality. It is largely made up of self-seeding native species which would benefit from some thinning and more active management. NSMEE have taken advice from the Nottinghamshire Wildlife Trust on this aspect of the scheme and will not do any works to trees within the nesting period.

#### **4. Terms of the Agreement**

- 4.1. NSMEE will pay Rushcliffe Borough Council a small annual fee for leasing the land for the railway extension, following the completion of the extension.
- 4.2. Minor trees may be removed during construction and to create a clear channel either side of the new track, to be agreed on site. Consideration is to be given to the bird nesting season. Completed works must be inspected and certified by an appropriately qualified independent agent.
- 4.3. Post and rail fencing to be erected by the Lessee (NSMEE) adjacent to the footpath on Mere Way, with lockable gates at the Heritage Centre/Country Park boundary, style to be agreed by both parties but to be in keeping with existing fences. At the end of the lease term, the Lessee to return the land to its original state, including removing the track and ballast, making good the access road and removing fencing and gates.
- 4.4. The Lessee may remove minor trees to create the railway and these do not need to be replanted upon reinstatement. The Lessee will use their reasonable efforts to open during weekends from April to October and school holidays and bank holidays.
- 4.5. The lease term will be 21 years with a break clause at or after five years by either party serving 18 months' notice at any time. Rent reviews will be at 5 yearly intervals and will take into consideration whether the NSMEE is operating the line on a commercial basis.

#### **5. Local Government Act 1972 and the Council's Asset Disposal Policy**

- 5.1. Section 123 of the 1972 Local Government Act requires that where a disposal of land which is either open space (in and of itself) or is part of open space is proposed, notices must be published in two consecutive weeks in a local newspaper (eg Nottingham Post), and any objections received be considered.
- 5.2. The intended lease (of the parcel of land shown in Appendix A) of 21 years is long enough to be a disposal caught by the act. For the purposes of the act, the definition of "open space" is any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground.
- 5.3. Under the Council's Disposal and Acquisition Policy for Land and Buildings, any disposal of land where there is a requirement to advertise the disposal of open space land under Section 123(2A) of the Local Government Act 1972 is a Cabinet decision.



5.1. RBC leases the country park from Nottinghamshire County Council on a long lease and Nottinghamshire County Council is supportive of the sub lease to the NSMEE. RBC's lease requires that prior written consent is sought from Nottingham County Council and the Secretary of State for Defence, firstly to the proposed sub-letting itself, and secondly to any major earthworks or alterations to the terrain within the demise.

## 6. Risk and Uncertainties

6.1. Any objections to the proposed disposal (as advertised in the Nottingham Post) will need to be considered by the Portfolio Holder who will be advised by the Executive Manager for Transformation who is the Council's Corporate Property Officer.

6.2. Any excavation works by the NSMEE will need the consent of Nottinghamshire County Council as the freeholder of the site, and the consent of the Secretary of State for Defence, who currently have a charge over the site.

## 7. Implications

### 7.1. Finance

There will be a small rental income from the lease of this piece of land. Each party will cover their own legal costs.

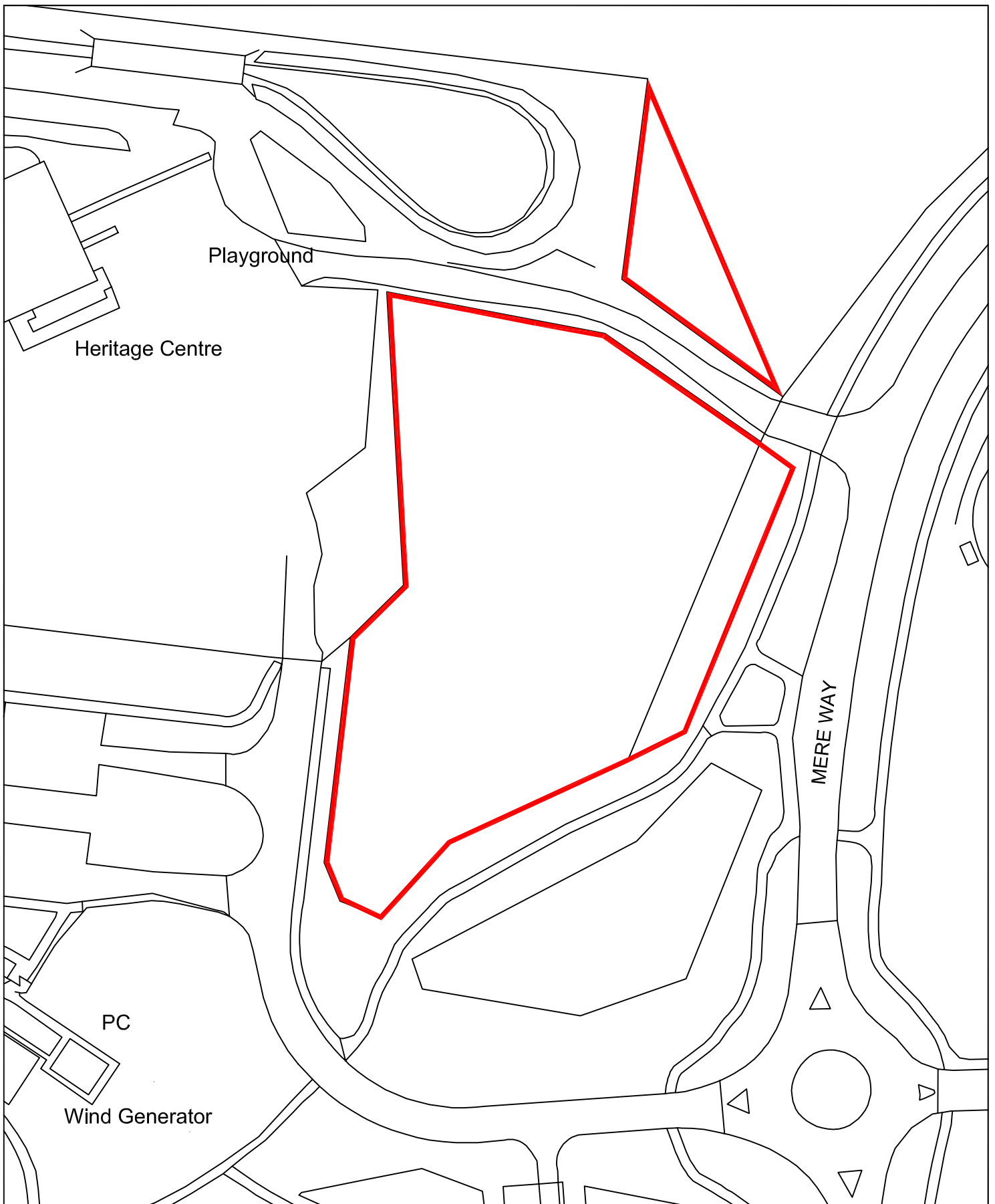
### 7.2. Legal


Legal implications relate to the disposal of a piece of open space and are covered in the body of the report.

### 7.3. Corporate Priorities

The Council has a priority to maximise its assets and this scheme will support the enhanced use of a part of the Country Park which is not currently utilised. The scheme would support the Heritage Railway site maximise its potential as a visitor attraction.

<b>For more information contact:</b>	Katherine Marriott Executive Manager 0115 914 8291 <a href="mailto:kmarriott@rushcliffe.gov.uk">kmarriott@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	None.
<b>List of appendices (if any):</b>	<b>Appendix A</b> – Plan of the land to be leased by NSMEE



 <b>Rushcliffe</b> Borough Council	Property Services Rushcliffe Borough Council Rushcliffe Arena Rugby Road West Bridgford Nottingham NG2 7YG Tel. 0115 981 9911 Fax. 0115 914 8452	Project <b>Extension to Miniature          Railway Rushcliffe Country          Park</b> Drawing title <b>Redline Plan Accompanying          Lease</b>	Date <b>Dec 2017</b> Scale <b>1:1000</b> Reference	Project officer Drawn <b>TP</b> Rev.	Checked 